

REMARKS

Applicants submit this Response to the Office Action dated December 29, 2009. In the Office Action, claims 1 to 15, 17 to 19 and 21 to 28 are pending and rejected, with claims 16 and 20 having been previously cancelled. By this Response, claims 1, 15, 18 and 24 have been amended. No new matter was added by these amendments. Support for these amendments is found at least at paragraphs [0108] and [0113] of U.S. Publication No. 2005/0065817. Applicants do not believe any fees are due in connection with this Response. However, the Commissioner is hereby authorized to charge any amounts deemed due to Deposit Account No. 02-1818.

In the Office Action: (a) claims 1, 15, 18 and 24 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite; (b) claims 1 to 11, 13 to 15, 17 to 19, 21 and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2002/0038392 to De La Huerga ("*De La Huerga*") in view of U.S. Publication No. 2002/0093537 to Bocioned ("*Bocioned*") further in view of U.S. Publication No. 2003/0084024 to Christensen ("*Christensen*"); (c) claims 12 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over *De La Huerga* in view of *Christensen* and further in view of U.S. Publication No. 2003/0105806 to Gayle et al. ("*Gayle*"); (d) claims 24, 25 and 27 were rejected under 35 U.S.C. 103(a) as being unpatentable over *De La Huerga* in view of *Bocioned*; (e) claims 26 and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over *De La Huerga* and *Bocioned* in view of *Gayle*; and (f) Claim 27 was rejected under 35 U.S.C. 103(a) as being unpatentable over *De La Huerga* in view of *Bocioned* and further in view of legal precedent as cited in chapter 21440.04 part B of the MPEP (Making Integral) ("*Making Integral*"). Applicants respectfully traverse these rejections for at least the reasons provided below.

Regarding the rejection of claims 1, 15, 18 and 24 under 35 U.S.C. §112, second paragraph, as being indefinite, Applicants have amended each of these claims in accordance with the comments in the Office Action and accordingly respectfully request that this rejection be withdrawn.

Regarding the rejection of claims 1 to 11, 13 to 15, 17 to 19, 21 and 23 under 35 U.S.C. §103(a) as being unpatentable over *De La Huerga* in view of *Bocioned* and *Christensen*, Applicants respectfully submit that this rejection has been overcome in view of the amendments to claims 1, 15 and 18 herein.

Claim 1, for example, has been amended to include a first central computer having a first database and a first functional feature set associated with data and functions related to the plurality of medical devices and the portable remote user interface, wherein the plurality of medical devices communicate directly with the hub, and the portable remote user interface and the hub communicate directly with the first central computer; and a second central computer having a second database, wherein the first database is a subset of the second database, and a second functional feature set, wherein the first central computer is securely connected to the second central computer, wherein the plurality of medical devices and the portable remote user interface do not communicate directly with the second central computer, *the second central computer sending a signal to the first central computer at designated time intervals causing the subset of data in the first database to synchronize with the corresponding data in the second database, and when critical information in the second database changes which is also part of the first database, causing the information to be relayed immediately to and processed by the first central computer.* Claims 15 and 18 have been similarly amended.

De La Hueraga teaches a first central computer, a user interface, and a pump unit as part of one single “pump” 100. The Office Action also cites FIGS. 26A and 31 of *De La Hueraga*, as evidence against the claims, asserting that element 622 serves as first central computer that communicates with a second computer 630. However, *De La Hueraga* does not disclose memory 622 being synchronized with data in memory of element 630 at designated time intervals, or critical information changing causing that information to be immediately relayed to communications device 620.

Christensen appears to be cited merely to show a first and second database that are able to work in a coordinated manner in which the second database reflects or contains the same information as the first database. *Christensen* is directed to a method and system of integrating databases for an educational institution. See, *Christensen*, Abstract. Being unrelated to the medical industry, *Christensen* does not disclose or suggest a plurality of medical devices as required by the claims and the interaction of data as required by the claims.

Applicants respectfully submit that the Office Action is not taking into account the significance of the separation of validated and non-validated data in the claims. Claim 18, for example, includes the central validation computer having *a validation database* and a first functional feature set associated with data and functions related to the plurality of medical

devices and the portable remote user interface, wherein the plurality of medical devices communicate directly with the hub, and the portable remote user interface and the hub communicate directly and securely with the central validation computer; a second central computer having *a second database* and a secure connection with the central validation computer, *wherein the validation database is a subset of the second database*, and a second functional feature set, wherein the plurality of medical devices and the portable remote user interface are configured to not communicate directly with the second central computer.

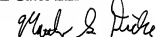
As explained at paragraph [0108] of U.S. Publication No. 2005/0065817, “in one embodiment, a cost-effective integration of medical devices 120 or other devices and functionality with the hospital information systems in the first and second central computers 109, 108a is provided by isolating a subset of the total data mentioned above, such as patient safety-specific information, and locating such information and functionality in a validated/verified part of the system. In this context, an FDA regulatory context, verified means providing objective evidence that all requirements are tested and validated means providing objective evidence that the product meets customer needs.” By localizing a subset of the database, such as the patient safety-specific data at the first central computer, at least the cost of system development is further optimized, and integration with third-party non-validated systems and the respective data and information therein is made more time and cost effective. For at least these reasons, Applicants respectfully submit that 1 to 11, 13 to 15, 17 to 19, 21 and 23 as presented are patentable over *De La Huerga* in view of *Bocioned* and *Christensen* and in condition for allowance.

Regarding the rejection of claims 12 and 22 under 35 U.S.C. §103(a) over *De La Huerga* in view of *Christensen* and further in view of *Gayle*, claims 24, 25 and 27 under 35 U.S.C. 103(a) over *De La Huerga* in view of *Bocioned*, claims 26 and 28 under 35 U.S.C. 103(a) over *De La Huerga* and *Bocioned* further in view of *Gayle*, and claim 27 under 35 U.S.C. 103(a) over *De La Huerga* in view of *Bocioned* and further in view of *Making Integral*, Applicants respectfully submit that these claims are in condition for allowance for the above reasons.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same. If the Examiner wishes to discuss the claims as amended herein or has any questions regarding this Response, Applicants encourage the Examiner to contact the undersigned by telephone.

Respectfully submitted,
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